

Application Serial No. 10/624,545
Reply to Office Action dated August 4, 2005

REMARKS/ARGUMENTS

The outstanding Office Action sets forth a restriction requirement between claims 1-26 directed to a refrigerator cabinet assembly and claims 27-38 directed to a method of assembling a refrigerator cabinet. Although the Applicant would agree with the Examiner that a proper basis for a restriction can be established under the U.S.P.T.O. rules, reconsideration of the restriction requirement is respectfully requested as it is submitted that examining product claims 1-26 would not be unduly burdensome on the Examiner upon a full examination of method claims 27-38.

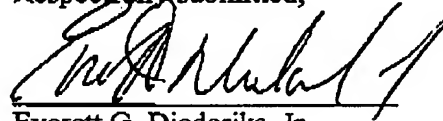
From reviewing independent claims 1 and 27, the Examiner will readily note that both claims require a shell having first and second side walls and a top wall which include front edge portions being in-turned to define a liner receiving cavity; a mullion bar partitioning the shell into first and second liner receiving portions with the mullion bar including first and second shoulder portions that define liner rim receiving lands; and first and second liners positioned in the first and second liner receiving portions respectively with each of the first and second liners including a plurality of edge portions at least two of which are arranged in respective ones of the receiving cavities and at least one of the edge portions extending along the liner rim receiving lands so as to be secured by mounting a mullion cover over the mullion and peripheral rim portions of the first and second liners. To this end, a complete search of the subject matter of claim 27 should encompass the claim 1 subject matter. This is also true with respect to the dependent claims. For example, claim 28 requires mounting the mullion bar to the shell through a pair of attachment brackets, a limitation which is also required in connection with at least claim 7. Claim 29 requires creating a gap between the shell and the mullion bar and positioning at least one end portion of the mullion cover therein, a limitation which is also introduced in claim 10. Finally, claim 36 requires reinforcing the mullion bar with a reinforcing brace secured to a rear surface portion of the mullion bar, a limitation which is also required by at least claims 11 and 23.

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Based on the above, it is hopeful that the Examiner will recognize that a full examination of the subject matter of claims 1-26 would encompass a search of the subject matter of claims 27-38. For this reason, it is respectfully requested that the restriction requirement be reconsidered and withdrawn. However, in order to fully comply to the Office Action, the Applicant does hereby elect, with traverse, the subject matter of claims 27-38 directed to the method of assembling a refrigerator cabinet in the event the Examiner maintains the restriction requirement.

The Examiner is cordially invited to contact the undersigned at the number provided below with any questions or concerns regarding this response or if the Applicant can be of any additional assistance in expediting the prosecution of this application.

Respectfully submitted,



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